

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Faeldt et al.

Application No.: 10/676,424

Confirmation No.: 1506

Filed: October 1, 2003

Art Unit: 1631

For: METHOD FOR IDENTIFICATION OF
BIOLOGICALLY ACTIVE AGENTS

Examiner: S. Zhou

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.132

The undersigned declare as follows:

1. We, Edward Faeldt, Luis Serrano, Cayetano Gonzalez, Christian Boulin, Christopher J. Cummings, Juan Botas and Huda Zoghbi, hereby declare that we are familiar with claims 1-28 and 30-35 recited in the above-identified application (hereinafter the "Claims"). We are inventors or co-inventors of one or more of the Claims.

2. We are also familiar with United States Patent Application Publication US 2004/0177388 (hereinafter "the '388 Application").

3. We understand that the Examiner in the above-identified application has asserted that some or all of the subject matter claimed in the instant application is

taught by the "388 Application.

4. With reference to the following tables, the inventive entities are shown for the present application and the '388 Application:

The present application – USSN 10/676,424

Edward Faeldt
Luis Serrano
Cayetano Gonzalez
Christian Boulin
Christopher J. Cummings
Juan Botas
Huda Zoghbi

The '388 Application

Juan Botas
Huda Zoghbi
Pedro Fernandez-Funez

5. We hereby declare that if, and to the extent that any of the subject matter claimed in the instant application was disclosed but not claimed in the '388 Application, that subject matter was invented by the undersigned inventors. As such, the '388 Application is not the work of another relative to the present application. We also confirm that the instantly claimed invention (as recited in claims 1-28 and 30-35) was not invented by Pedro Fernandez-Funez, an inventor or co-inventor of one or more claims of the '388 Application. Consequently, based on our understanding of 35 USC

§102(e), the rejections of the Claims over the '388 Application should be withdrawn.

6. We hereby further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both (18 U.S.C. 1001), and that such willful false statements may jeopardize the validity of the above-identified Application or any patent issued thereon.

Date: _____

Edward Faeldt

Date: 08-01-10

Luis Serrano

Date: _____

Cayetano Gonzalez

Date: _____

Christian Boulin

Date: _____

Christopher J. Cummings

Date: _____

Juan Botas

Date: _____

Huda Zoghbi

§102(e), the rejections of the Claims over the '388 Application should be withdrawn.

6. We hereby further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both (18 U.S.C. 1001), and that such willful false statements may jeopardize the validity of the above-identified Application or any patent issued thereon.

Date: _____

Edward Faeldt

Date: _____

Luis Serrano

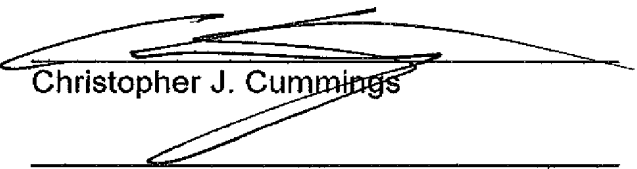
Date: _____

Cayetano Gonzalez

Date: _____

Christian Boulin

Date: 1/8/10



Christopher J. Cummings

Date: _____

Juan Botas

Date: _____

Huda Zoghbi

§102(e), the rejections of the Claims over the '388 Application should be withdrawn.

6. We hereby further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both (18 U.S.C. 1001), and that such willful false statements may jeopardize the validity of the above-identified Application or any patent issued thereon.

Date: _____

Edward Faeldt

Date: _____

Luis Serrano

Date: _____

Cayetano Gonzalez

Date: _____

Christian Boulin

Date: _____

Christopher J. Cummings

Date: 1/8/2010

JW

Juan Botas

Date: 1/12/10

Huda Zoghbi

Huda Zoghbi